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Fill in this information to identify your case:	✓ Check if this is a modified plan, and list below the		
Debtor 1 Monica E. Wigfall First Name Middle Name Last Name	sections of the plan that hav been changed. Pre-confirmation modification		
	E Tre-communication modification		
Debtor 2 (Spouse, if filing) First Name Middle Name Last Name	Post-confirmation modificatio		
	6.1, 8.1		
United States Bankruptcy Court for the: District of South Carolina			
Case number <u>18-00680-jw</u>			

District of South Carolina

Chapter 13 Plan

12/17

Part 1: **Notices**

To Debtors:

This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances. Plans that do not comply with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, this Court's local rules, and judicial rulings may not be confirmable.

In the following notice to creditors, you must check each box that applies.

To Creditors: Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.

You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. Failure to object may constitute an implied acceptance of and consent to the relief requested in this document.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, pursuant to Federal Rule of Bankruptcy Procedure 3002, you must file a timely proof of claim in order to be paid under any plan. Confirmation of this plan does not bar a party in interest from objecting to a claim.

The following matters may be of particular importance. Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

1.1	A limit on the amount of a secured claim, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor	☑ Included	□ Not included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4	☑Included	□ Not included
1.3	Nonstandard provisions, set out in Part 8	☑ Included	□ Not included
1.4	Conduit Mortgage Payments: ongoing mortgage payments made by the trustee through plan, set out in Section 3.1(c) and in Part 8	□ Included	☑ Not included

Del	otor	Document Page 2 of 10 Monica E. Wigfall Case Number 18-00680-jw
Par	t 2:	Plan Payments and Length of Plan
24	The	debter submits to the supervision and central of the trustee all or such portion of future counings or other future income as is present for the
2.1		debtor submits to the supervision and control of the trustee all or such portion of future earnings or other future income as is necessary for the cution of the plan.
	Unle follo	ess all allowed claims (other than long-term claims) are fully paid pursuant to the plan, the debtor will make regular payments to the trustee as ws:
	\$_	230.00 per month for 60 months
	[and	d \$ per month for months.]
	Inse	ert additional lines if needed.
		or and trustee may stipulate to a higher payment in order to provide adequate funding of the plan without the necessity of a modification to the estipulation is effective upon filing with the Court.
Add	tiona	I monthly payments will be made to the extent necessary to make the payments to creditors specified in this plan.
2.2	_	ular payments to the trustee will be made from future income in the following manner:
	_	ck all that apply.
	_	The debtor will make payments pursuant to a payroll deduction order.
	□	The debtor will make payments directly to the trustee. Other (specify method of payment):
2.3		ome tax refunds.
	_ `	ck one.
		The debtor will retain any income tax refunds received during the plan term. The debtor will treat income tax refunds as follows:
	_	The deptor will treat income tax returns as follows.
2.4	Add	itional payments.
	Che	ck one.
	\checkmark	None. If "None" is checked, the rest of § 2.4 need not be completed or reproduced.
		The debtor will make additional payment(s) to the trustee from other sources, as specified below. Describe the source, estimated

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Part 3: **Treatment of Secured Claims**

amount, and date of each anticipated payment.

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To receive a distribution from the trustee, a proof of claim, including adequate supporting documentation and filed in compliance with Official Rules and Forms, must be filed with the Court. For purposes of plan distribution, a claim shall be treated as provided for in a confirmed plan. However, if a claim is treated as secured in a confirmed plan and the affected creditor elects to file an unsecured claim, such claim, unless timely amended, shall be treated as unsecured for purposes of plan distribution. Any creditor holding a claim secured by property that is removed from the protection of the automatic stay by order, surrender, or through operation of the plan will receive no further distribution from the chapter 13 trustee on account of any secured claim. This provision also applies to creditors who may claim an interest in, or lien on, property that is removed from the protection of the automatic stay by another lienholder or released to another lienholder, unless the Court orders otherwise, but does not apply if the sole reason for its application arises under 11 U.S.C. § 362(c)(3) or (c)(4). Any funds that would have otherwise been paid to a creditor, but pursuant to these provisions will not be paid, will be distributed according to the remaining terms of the plan. Any creditor affected by these provisions and who has filed a timely proof of claim may file an itemized proof of claim for any unsecured deficiency within a reasonable time after the removal of the property from the protection of the automatic stay. Secured creditors that will be paid directly by the debtor may

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	inue sending standard payment and tion of the automatic stay.	d escrow notices, paymen	nt coupons, or inquiries abo	out insurance, and s	such action will not be considered a	
3.1	Maintenance of payments and cu	ure or waiver of default,	if any.			
	Check all that apply. Only relevan	nt sections need to be rep	roduced.			
	☐ None. If "None" is checked, th	ne rest of § 3.1 need not b	pe completed or reproduced	d.		
char debt	nges required by the applicable co				n the secured claims listed below, with ayments will be disbursed directly by	
	Name of Creditor GMAC Mortgage	Collateral 1934 Belgrade Ave., Ch	narleston, SC 29407, TMS I	No. 351-14-00-098		
	SC Federal Credit Union	1934 Belgrade Ave., Ch	narleston, SC 29407, TMS I	No. 351-14-00-098		
	Insert additional claims as needed	f.				
by th	changes required by the applicable trustee, with interest, if any, at the red by the Court.	e contract and noticed in c le rate stated. The truster	conformity with any applicate e shall pay the arrearage as	ole rules. The arrea s stated in the credi	itor ['] s allowed claim or as otherwise	
	Name of Creditor	Collateral	•	Interest rate on arrearage (if applicable)	Monthly plan payment on arrearage	
			\$	%	\$	
			Includes amounts accrued through the			
			[Month/Year] paymo	ent]	(or more)	
	Insert additional claims as needed	-1				
	- Insert additional claims as necuci	<i>1</i> .				
	3.1(c) The debtor elects to ordance with the Operating Order of order, the	of the Judge assigned to	this case and as provided	trustee for paymer in Section 8.1. In	nt through the Chapter 13 Plan in the event of a conflict between this	
proc	3.1(d) The debtor proposes edures of the Judge assigned to the					s or
	Insert additional claims as needed	d.				
	3.1(e) Other. A secured claim 1.3 of this plan is checked an			on will be effective o	only if the applicable box in Section	
3.2	Request for valuation of security	y and modification of ur	ndersecured claims. Chec	ck one.		
	☐ None. If "None" is checked, the	e rest of § 3.2 need not be	e completed or reproduced.			
	The remainder of this parag	graph will be effective o	nly if the applicable box i	n Part 1 of this pla	an is checked.	
lioto					ch non-governmental secured claim	
For s files Bank	secured claims of governmental un its proof of claim or after the time f	its, unless otherwise orde for filing one has expired,	ered by the Court after mot the value of a secured claim	ion or claims object im listed in a proof	Estimated amount of secured claim. tion filed after the governmental unit of claim filed in accordance with the ecured claim will be paid in full with	

The portion of any allowed claim that exceeds the amount of the secured claim will be treated as an unsecured claim under Part 5.1 of this plan. If the estimated amount of a creditor's secured claim is listed below as having no value, the creditor's allowed claim will be treated in its entirety as an unsecured claim under Part 5.1 of this plan. Unless otherwise ordered by the Court, the amount of the creditor's total claim listed on

Case 18-00680-jw Doc 37 Filed 04/17/18 Entered 04/17/18 12:59:07 Desc Main Document Page 4 of 10 Monica E. Wigfall Case Number 18-00680-jw the proof of claim controls over any contrary amounts listed in this paragraph. Unless 11 U.S.C. § 1325(a)(5)(A) or (C) applies, holders of secured claims shall retain liens to the extent provided by section 1325(a)(5)(B)(i). Secured creditors paid the full secured claim provided for by this plan shall satisfy any liens within a reasonable time. Name of **Estimated** Collateral Value of Amount of **Estimated** Interest rate **Estimated** monthly payment creditor amount of collateral claims senior amount of creditor's to creditor to creditor's secured claim total claim (disbursed by the claim trustee) **Progressive** \$2,338.72 Electric \$600.00 \$_0.00 \$_600.00 6.00% \$_11.60 Leasing Fireplace, (or more) mattress, box spring Insert additional claims as needed. 3.3 Other secured claims excluded from 11 U.S.C. § 506 and not otherwise addressed herein. Check one. \square None. If "None" is checked, the rest of § 3.3 need not be completed or reproduced. The claims listed below are being paid in full without valuation or lien avoidance. These claims will be paid in full under the plan with interest at the rate stated below. These payments will be disbursed either by the trustee or directly by the debtor, as specified below. Holders of secured claims shall retain liens to the extent provided by 11 U.S.C. § 1325(a)(5)(B)(i). Secured creditors paid the full secured claim provided for by this plan shall satisfy any liens within a reasonable time. Name of creditor Collateral Estimated amount of Interest rate **Estimated monthly** claim payment to creditor \$_ % (or more) Disbursed by □ Trustee Debtor Insert additional claims as needed. 3.4 Lien avoidance. Check one. None. If "None" is checked, the rest of § 3.4 need not be completed or reproduced. The remainder of this paragraph will be effective only if the applicable box in Part 1 of this plan is checked. The judicial liens or nonpossessory, nonpurchase money security interests securing the claims listed below impair exemptions to which the debtor would have been entitled under 11 U.S.C. § 522(b). Unless otherwise ordered by the Court, a judicial lien or security interest securing a claim listed below will be avoided to the extent that it impairs such exemptions upon entry of the order confirming the plan. The amount of the judicial lien or security interest that is avoided will be treated as an unsecured claim in Part 5.1 to the extent allowed. The amount, if any, of the judicial lien or security interest that is not avoided will be paid in full as a secured claim under the plan. See 11 U.S.C. § 522(f) and

Choose the appropriate form for lien avoidance.

Name of creditor and description of property securing lien	Estimated amount of lien	Total of all senior/unavoidable liens	Applicable Exemption and Code Section	Value of debtor's interest in property	Amount of lien not avoided (to be paid in 3.2 above)	Amount of lien avoided
	\$	\$		\$	\$	\$

Bankruptcy Rule 4003(d). If more than one lien is to be avoided, provide the information separately for each lien.

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Use this form for avoidance of liens on co-owned property only.

Name of creditor and description of property securing lien	Total equity (value of debtor's property less senior/unavoidable liens)	Debtor's equity (Total equity multiplied by debtor's proportional interest in property)	Applicable Exemption and Code Section	Non-exempt equity (Debtor's equity less exemption)	Estimated lien	Amount of lien not avoided (to be paid in 3.2 above)	Amount of lien avoided
Pioneer Credit, HHG	\$ <u>800.00</u>	\$ <u>400.00</u>	\$400, S.C. Code Ann. § 15-41- 30(A)(3)	\$_0.00	\$_3,315.00	\$ <u>0.00</u>	\$ <u>3,315.00</u>
World Finance Corp., HHG	\$_0.00	\$ <u>0.00</u>	\$400, S.C. Code Ann. § 15-41- 30(A)(3)	\$_0.00	\$ <u>2,327.00</u>	\$ <u>0.00</u>	\$ 2,327.00
Sunbelt Credit. HHG	\$_0.00	\$_0.00	\$400, S.C. Code Ann. § 15-41- 30(A)(3)	\$_0.00	\$ <u>971.00</u>	\$_0.00	\$ <u>971.00</u>
Regional Finance, 1934 Belgrade Ave., Charleston, SC 29407	\$ <u>89,776.00</u>	\$ <u>44,888.00</u>	\$59,100.00, S.C. Code Ann. § 15-41- 30(A)(1)	\$ <u>0.00</u>	\$ <u>3,540.88</u>	\$ <u>0.00</u>	\$ <u>3,540.88</u>

Insert additional claims as needed.

3.5 Surrender of collateral.

Check one.

☑ None. If "None" is checked, the rest of § 3.5 need not be completed or reproduced.

☐ The debtor elects to surrender the collateral that secures the claim of the creditor listed below. The debtor requests that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and that the stay under § 1301 be terminated in all respects. A copy of this plan must be served on all co-debtors. Any creditor who has filed a timely proof of claim may file an amended proof of claim itemizing the deficiency resulting from the disposition of the collateral within a reasonable time after the surrender of the property. Any such amended claim, if allowed, will be treated in Part 5.1 below.

Name of creditor	Collateral

Insert additional claims as needed.

Part 4:

Treatment of Fees and Priority Claims

4.1 General

The debtor shall pay all post-petition priority obligations, including but not limited to taxes and post-petition domestic support, and pay regular payments on assumed executory contracts or leases, directly to the holder of the claim as the obligations come due, unless otherwise ordered by the Court. Trustee's fees and all allowed priority claims, including domestic support obligations other than those treated in § 4.5, will be paid in full without postpetition interest.

4.2 Trustee's fees

Trustee's fees are governed by statute and may change during the course of the case.

4.3 Attorney's fees

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		a.	The debtor and the deb statement filed in this ca- disbursed by the trusted disburse a dollar amount the attorney's compensa payment of trustee fees, attorney assumes represe without further notice, who	se. Fees entitle as follows: F consistent with tion as allowed allowed secure sentation in a pich allows for the secure contaction in a pich allows for the secure contact co	ed to be paid through to following confirmation of the Judge's guidelines and the Court shall be ped claims and pre-petitionending pro se case and the payment of a portion	orney's fee for the plan and any of the plan and to the attorney from aid, to the extension arrearages or d a plan is confir of the attorney's	ne services identified in the supplemental fees as application on the initial disbursement at then due, with all funds report of the control	e Rule 2016(b) disclosure loved by the Court shall be therwise, the trustee shall. Thereafter, the balance of emaining each month after lons. In instances where an long be entered by the Court, its to creditors.
			applications for compens trust until fees and expe	ation and expense reimburse	enses in this case pursuments are approved by	uant to 11 U.S.C. the Court. Prio	§ 330, the retainer and co	st advance shall be held in the attorney has received
4.4		_	claims other than attorne	y's fees and t	hose treated in § 4.5.			
	Ched							
with			debtor is unaware of any paramendment of the plan.	oriority claims a	at this time. If funds are	e available, the ti	rustee is authorized to pay	on any allowed priority claim
	<u>ם</u>	<u>ome</u>	estic Support Claims. 11	U.S.C. § 507(a	n)(1):			
		a. b.	rate of \$ or n	nore per month	until the balance, witho	out interest, is paid	d in full. Add additional cre	ame of DSO recipient), at the ditors as needed. In a timely basis directly to the
		C.		ne estate or wit	h respect to the withho	Iding of income the	hat is property of the estate	ose obligations from property e or property of the debtor for
the t			r Priority debt. The truste authorized to pay on any a					basis. If funds are available,
4.5	Dom	esti	c support obligations as	signed or owe	ed to a governmental u	init and paid less	s than full amount.	
	Ched							
	⊻N	lone	. If "None" is checked, the	rest of § 4.5 ne	eed not be completed or	r reproduced.		
	will be	e pai						s owed to a governmental unit ments in § 2.1 be for a term of
	Nam	e of	creditor			Amount of cla	aim to be paid	
						\$		
						U T	oursed by Frustee Debtor	
Inse	ert add	lition	al claims as needed.					
Par	rt 5:	_	reatment of Nonprior	rity Unsecur	ed Claims			
5.1			rity unsecured claims no					
	avail	able	after payment of all other	allowed claims	•	ll be paid, pro rata	a by the trustee to the exter	t that funds are
			lebtor estimates payments lebtor proposes payment o					
			lebtor proposes payment of lebtor proposes payment of			ate of%.		
5.2	Mair	itena	ance of payments and cu	ıre of any defa	ult on nonpriority uns	ecured claims.	Check one.	

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	None. If "None" is checked, th	ne rest of § 5.2 ne	 eed not be completed or		50 100
the ι	☐ The debtor will maintain the cursecured claims listed below.	ontractual install	ment payments and cur	e, through the trustee, any prepetit	ion default in payments on
	Name of creditor	Current instal (paid by the d	llment payment lebtor)	Estimated amount of arrearage through month of filing or conversion	Monthly payment on arrearage to be disbursed by the trustee
		\$		\$	\$
	Insert additional claims as needed	d.			(or more)
5.3	Other separately classified non	priority unsecu	red claims. Check one.		
	☑ None. If "None" is checked, th	e rest of § 5.3 ne	eed not be completed or	reproduced.	
	☐ The nonpriority unsecured allo	owed claims liste	d below are separately c	lassified and will be treated as follow	NS:
Nam		otal amount to l ne claim	be paid on	Interest rate (if applicable)	
	\$			%	
				rustee or the debtor.	
Inse	ert additional claims as needed.				
	☑ Other. An unsecured claim is plan is checked and a treatment is			rovision will be effective only if the a	applicable box in Section 1.3 of this
Par	t 6: Executory Contracts a	and Unexpired	l Leases		
6.1	The executory contracts and ur contracts and unexpired leases			ned and will be treated as specific	ed. All other executory
	☑ None. If "None" is checked, th	e rest of § 6.1 ne	eed not be completed or	reproduced.	
or ru	☐ Assumed items. Current inst ule. Prepetition arrearage payment				w, subject to any contrary court order
Nam		ption of leased ty or executory ct	Current insta payment	Ilment Estimated amount of arrearage through month of filing or conversion	of Estimated monthly payment on arrearage to be disbursed by the trustee
				\$	\$

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Part 7: Vesting of Property of the Estate							
 7.1 Property of the estate will vest in the debtor as stated below: Check the applicable box: Upon confirmation of the plan, property of the estate will remain property of the estate, but possession of property of the estate shall remain with the debtor. The chapter 13 trustee shall have no responsibility regarding the use or maintenance of property of the estate. The debtor is responsible for protecting the estate from any liability resulting from operation of a business by the debtor. Nothing in the plan is intended to waive or affect adversely any rights of the debtor, the trustee, or party with respect to any causes of action owned by the debtor. Other. The debtor is proposing a non-standard provision for vesting, which is set forth in section 8.1. This provision will be effective only if the applicable box in Section 1.3 of this plan is checked and a proposal for vesting is provided in Section 8.1. Part 8: Nonstandard Plan Provisions							
8.1 Check "None" or List Nonstandard Plan Provisions							
None. If "None" is checked, the rest of Part 8 need not be completed or reproduced.							
Under Bankruptcy Rule 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in this							
form or deviating from it. Nonstandard provisions set out elsewhere in this plan are ineffective.							
The following plan provisions will be effective only if there is a check in the box "Included" in § 1.3.							
Reservation of Rights: Confirmation of this plan does not bar a party in interest from any actions discovered from the documentation, or lack thereof, in a proof of claim. The debtor specifically reserves any currently undiscovered or future claims, rights or cause of action the debtor may have, regarding any issues not specifically addressed or determined by the plan, against any creditor or other party in interest including, but not limited to, violations of applicable consumer protections codes and actions under 11 U.S.C. §§ 542, 543, 544, 547 and 548.							
<u>Confirmed Plan vs. Proof of Claim:</u> The confirmation of this plan may determine the character (secured, unsecured, or priority), amount and timing of distribution of a creditor's claim regardless of the proof of claim filed. If a creditor objects to a claim's treatment under the plan, the creditor must timely object to confirmation.							
Statement in Support of Confirmation: Debtor understands the following: (1) The obligations set forth in the plan, including the amount, method, and timing of payments made to the Trustee or directly to creditors; (2) The consequences of any default under the Plan; and (3) That debtor may not agree to sell or sell property, employ professionals, incur debt (including modification of debt), or request or agree to mortgage modification or other loss mitigation during the pendency of the case without the advance authorization of the Bankruptcy Court.							
Part 9: Signature(s)							
9.1 Signatures of the debtor and the debtor's attorney The debtor and the attorney for the debtor, if any, must sign below. **							
/s/ Jennifer S. Ivey 12515 Date 4/17/2018 Signature of Attorney for the debtor DCID # MM/DD/ YYYY							

By filing this document, the debtor, if not represented by an attorney, or the debtor and the attorney for the debtor certify(ies) that this Chapter 13 plan contains no nonstandard provision other than those set out in Part 8.

District of South Carolina Effective December 1, 2017

UNITED STATES BANKRUPTCY COURT DISTRICT OF SOUTH CAROLINA

IN RE:

CASE NO.: 18-00680-jw

CHAPTER: 13

Wigfall, Monica E.

CERTIFICATE OF SERVICE

DEBTOR

The undersigned hereby certifies that she served the *Debtor's Pre-Confirmation Modified Chapter 13 Plan, including Motions to Value, Lien Avoid, and Assume, and Debtor's Statement in Support of Confirmation and Notice of Continued Confirmation Hearing* on all creditors and parties in interest entitled to such notice on April 17, 2018. The parties served are individually listed on the accompanying list or mailing matrix.

SERVED VIA CM/ECF:

James M. Wyman, Esq. Chapter 13 Trustee P.O. Box 997 Mt. Pleasant, SC 29465-0997

Office of the United States Trustee Strom Thurmond Federal Building 1835 Assembly Street, Suite 953 Columbia, SC 29201

SERVED VIA U.S. MAIL:

The attached matrix of creditors.

Date: April 17, 2018 Respectfully submitted,

UPRIGHT LAW

/s/ Jennifer S. Ivey

Jennifer S. Ivey, Esq. Attorney for Debtor 3022 S. Morgan's Point Rd., Ste. 144 Mt. Pleasant, SC 29466

District Court ID: 12515

Case 18-00680-jw Small Claims - City 905 Morrison Drive P.O. Box 941 Charleston SC 29402-0941

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c/o Ocwen 1661 Worthington Rd. Ste. 100 West Palm Beach, FL 33409-6493

Internal Revenue Service Centralized Insolvency Operation PO Box 7346 Philadelphia, PA 19101-7346

Charleston County Revenue Collections 4045 Bridge View Dr., #B110 North Charleston, SC 29405-7464

Kay Jewelers Attn: Bankruptcy Po Box 1799 Akron OH 44309-1799

Medicredit, Inc Po Box 1629 Maryland Heights MO 63043-0629

Jora Credit of South Carolina, LLC 5080 Spectrum Drive Ste. 700W Addison TX 75001-6448

Payliance 3 Easton Oval Ste 210 Columbus OH 43219-6011

Pioneer Credit 95 Second St Ne Cleveland TN 37311-5308 Navient Attn: Bankruptcy Po Box 9500 Wilkes-Barre PA 18773-9500 Regional Finance of SC 1200 Sam Rittenburg Blvd. Ste. B Charleston SC 29407-5006

SC Dept. of Revenue & Taxation PO Box 12265 Columbia, SC 29211-2265

REGIONAL MANAGEMENT CORPORATION 979 BATESVILLE ROAD, SUITE B GREER, SC 29651-6819

Sc Federal Cu 6265 Rivers Ave North Charleston SC 29406-4928

(p) SECURITY FINANCE CENTRAL BANKRUPTCY P O BOX 1893 SPARTANBURG SC 29304-1893

SFC Central Bankruptcy PO Box 1893 Spartanburg, SC 29304-1893 World Finance Corporat 108 Frederick St Greenville SC 29607-2532

Yvonne Delgado 1133 Clarkson Ave. Apt. 2F Brooklyn, NY 11212-2705

Synchrony Bank/ JC Penneys Attn: Bankruptcy Po Box 965060 Orlando FL 32896-5060

Monica E Wigfall 1934 Belgrade Ave Charleston, SC 29407-5757 Sunbelt Credit Attn: Bankruptcy 208 E. Main St. Spartanburg SC 28306